

FILED

AUG 28 2012

UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA

Tony Fu
5813 Geary Blvd., PMB 188
San Francisco, CA 94121
Tel: (415) 867 - 5973
Email: Tonydxfu@gmail.com

Defendant in Pro Per

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re: DEMAS YAN, ("Demas")
wa:
Debtor

DEMAYAN, an individual,

Plaintiff,

v.

TONY FU, et al,

and DOES 1-20,

Defendants.

Stella Chen
Wei Suen
Bryant Fu
Crystal Lei

) Bankruptcy Court Case No: 04-33526 TEC
) Chapter 7

) Superior Court Case No: CGC-12-522566

) **NOTICE OF REMOVAL**
) (28 U.S.C. § 1446; Fed R. Bankr. Pro.9027)

) Adv. Proc. No.

) Status Conference

) Hearing Date:

) Time:

) Judge:

) Place:

Hon. Thomas Carlson
235 Pine Street, 23rd FL
San Francisco

12 - 3129

TC

Defendant Tony Fu ("Fu") submits this Notice of Removal pursuant to 28 U.S.C. Section 1446 and Rule 9027 of the Federal Rules of Bankruptcy Procedure, in support thereof respectfully alleges as follows:

1. In violation of this Court's Amended Judgment of March 3, 2006 that specifically stated "Demas Yan is entitled to no further relief against Stella Chen, Tony Fu or Wei Suen," Demas

1 Yan, a/k/a Dennis Yan, the debtor, herein ("Yan" or "Debtor"), repeatedly commenced state
2 court actions against Fu and anyone associates with Fu.

3 2. In response to a motion for summary judgment filed by Fu against one of the Yan's state
4 court cases, on January 8, 2008, the above-entitled Court issued a Memorandum re Tony Fu's
5 Motion for Summary Judgment wherein the Court determined that (1) Yan lacked standing to
6 file the action because the claims asserted therein arose pre-petition and therefore could only be
7 asserted in Yan's bankruptcy case by the Trustee; and (2) Yan's claims against Fu are also barred
8 by the doctrine of claim preclusion since they arose out of the same nucleus of operative facts as
9 the claims which Yan previously litigated and lost in the Consolidated Adversary Proceedings
10 and "[a]llowing Yan to bring a new lawsuit regarding 663 Chenery Street every time he
11 discovers additional causes of action would undermine the finality of the judgment." The Court
12 dismissed that proceeding with prejudice. The Court subsequently dismissed Yan's other
complaints.

13 3. On July 20, 2012, Yan filed yet another Complaint For Damages at the Superior Court of
14 the State of California, County of San Francisco. This new lawsuit is attached as Exhibit A ("the
15 new Yan Complaint").

16 4. Now, once again, this new Yan Complaint develops yet another new theory to attack the
17 courts final judgments including this Court's Contempt Order as well.

18 5. The new Yan Complaint is a civil action over which this court has original jurisdiction
19 under the provisions of 28 U.S.C. § 1334 (b) in that the allegations (a) affect property of the
20 above-captioned estate; (b) involve pre-petition claims that can only be brought by the Trustee;
21 (c) attack the integrity of the final judgments issued by this court; and (d) are barred by the
22 doctrine of claim preclusion and/or res judicata. Accordingly, Fu seeks removal of the new Yan
23 Complaint to the United States Bankruptcy Court, Northern District of California, San Francisco
24 Division on the grounds the claims made therein concern and affect property of this bankruptcy
25 estate and are therefore removable pursuant to 28 U.S.C. §§ 1441 and 1452. In addition, Fu
requests that the removed new Yan Complaint be assigned to Judge Carlson so that the claims

1 made therein can be considered and adjudicated in the context of the prior decisions and
2 judgments he has already made in this case.

3 5. Upon removal, the new Yan Complaint is a core proceeding pursuant to 28 U.S.C.
4 §§ 157 (2) (A) and (E) and (O). To the extent the new Yan Complaint is determined to be
5 noncore, then Fu consents to entry of final orders or judgment by the bankruptcy judge.

6
7 WHEREFORE, Fu prays that the new Yan Complaint pending in the San Francisco Superior
8 Court and bearing Case No. CGC-12-522566 entitled Demas Yan v. Tony Fu, et al. be removed
9 to this Court and assigned to Judge Carlson for further proceedings.

Dated: August 28, 2012

11 Respectfully submitted,


12
13 By: 
14 Tony Fu,
15 Defendant in Pro Per

Exhibit A

1 DEMAS YAN
2 595 Market Street, Suite 1350
3 San Francisco, California 94105
4 Phone (415) 867-5797
5 Fax (415) 901-0650
6 Plaintiff in Pro Per

FILED
Superior Court of California
County of San Francisco

JUL 20 2012

CLERK OF THE COURT
BY *[Signature]*
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO
UNLIMITED CIVIL JURISDICTION

7 DEMAS YAN

8 plaintiff,

9 vs.

10
11 TONY FU aka DONG XING FU, CRYSTAL
12 LEI aka LI MING LEI, STELLA HONG
13 CHEN aka HONG XING FU aka HONG
14 XING CHEN , BRYANT FU, WEI SUEN,
15 and DOES 1-20,

16 Defendants.

Case No.:

CGC-12-522566

COMPLAINT FOR DAMAGES

1. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
2. BREACH OF FIDUCIARY DUTY
3. FRAUDULENT TRANSFER
4. UNAUTHORIZED PRACTICE OF LAW (damages pursuant to Cal. Code Civ. Pro. § 1029.8)
5. MALICIOUS PROSECUTION
6. DECLARATORY RELIEF

DEMAND FOR JURY TRIAL

PRELIMINARY ALLEGATIONS

1. Plaintiff is over 18 years old, and is and at all times herein mentioned was, a resident of San Francisco County, California.
2. Plaintiff is informed and believes that Defendants are over 18 years old and at all times relevant were residents of the City and County of San Francisco, California.

- 1 3. Defendants DOE 1 through 20 are sued herein under fictitious names. Their true names and
2 capacities are unknown to plaintiff. When their true names and capacities are ascertained,
3 Plaintiff will amend this cross-complaint by inserting their true names and capacities herein.
4 4. Plaintiff is informed and believes and thereon alleges that at all times herein mentioned,
5 Defendants were agents, servants, and employees of their co-defendants, and in doing the
6 things hereinafter alleged were acting in the scope of their authority as agents, servants, and
7 employees, and with the permission and consent of their co-Defendants.
8 5. Venue is proper in this court as the events that gave rise to this action and the substance of
9 the transactions at issue occurred within the City and County of San Francisco, California.

10
11 **SUBSTANTIVE ALLEGATIONS**

- 12 6. Plaintiff DEMAS YAN and defendants TONY FU and CRYSTAL LEI were involved in
13 business relationships in which they developed a multi-unit mixed used real estate property
14 know as 663 Chenery Street in San Francisco ("Project"). In connection with the project,
15 YAN and FU formed a corporation known as SAN FRANCISCO BUILDING
16 PROFESSIONALS, INC ("SFBP") and were both shareholders and officers of the
17 corporation.
18 7. During the course of the project, Defendants conspired with one another to defraud YAN out
19 of the proceeds and profits of the project both during the construction of the project and
20 afterwards in preventing YAN from his share of the profits. Defendants continue to the
21 present in conspiring amongst themselves to injure YAN and prevent his access to his just
22 share of the proceeds and profits from the project, thereby breaching their respective and
23 collective duty to cross-complainant, so that the activities of one are attributable to all.

24 **FIRST CAUSE OF ACTION**
25 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
26 **(Against FU and LEI and DOES 1-20)**

- 27 8. Paragraphs 1-7 above are incorporated herein by reference.
28 9. Plaintiff DEMAS YAN ("YAN") filed for Chapter 7 bankruptcy protection on September 15,
2006. Because the bankruptcy court has ruled that pre-bankruptcy causes of action belong to
the bankruptcy estate instead of cross-complainant, Plaintiff hereby only alleges post-

September 15, 2006 events giving rise to this cause of action for Intentional Infliction of Emotional Distress.

10. Defendants and their agents knowingly and willfully conspired and agreed among themselves to commit a series of wrongs against YAN in order to inflict extreme emotional distress and to injure YAN and prevent his access to his just share of the proceeds and profits from their business project.

11. Around 2007, defendants ordered and took delivery of construction materials amounting to thousands of dollars for use on their property at 337 28th Avenue in San Francisco. Defendants ordered these materials using a corporate account that belong to a corporation known as San Francisco Building Professionals Inc ("SFBP") which was formed for the sole purpose of the Chenery project. Defendants improperly embezzled building material from SFBP and used them at defendants' personal properties. Defendants knowingly and purposefully refused to pay for the materials that they had ordered, and falsely accused YAN of taking delivery of those materials and falsely accused YAN of mismanaging the corporation.

12. Around 2007, defendants maliciously induced the building material supplier of SFBP to sue YAN for the building materials that Cross- defendants had wrongfully ordered and used for their personal properties without authorization of SFBP. Defendants maliciously fabricated lies that SFBP is a shell company and induced SFBP's creditors to sue YAN for SFBP's debts.

13. During 2009 to 2011, defendants, who were not licensed to practice law, willfully and maliciously provided false legal advices, drafted legal complaints, and induced a person named CHARLES LI to initiate legal actions against YAN in both the California Superior Court and the U.S. Bankruptcy court, all for the purpose of causing injury to YAN and to prevent YAN from access to proceeds from the project that were held in the bankruptcy court. Defendants committed subornation by maliciously drafted false allegations in legal papers used by CHARLES LI against YAN. Cross- defendants purposeful concealed their misdeeds and YAN did not discover the events herein stated until September 2011 during a deposition of CHARLES LI.

14. Defendants' conducts were coordinated and planned as a continuing tort, designed to inflict extreme emotional distress over an extended and continuous period of time. Defendants'

1 conducts were malicious and intentional for the purpose of causing YAN to suffer
2 humiliation, mental anguish, and extreme emotional and physical distress. Defendants'
3 conducts were done with wanton and reckless disregard of the consequences to YAN.

4 15. As the proximate result of the acts alleged above, YAN suffered humiliation, mental anguish,
5 and extreme emotional and physical distress, and has been injured in mind and body, all to
6 cross- complainant's damage.

7 16. The acts of Defendants alleged above were willful, wanton, malicious, and oppressive, and
8 justify the awarding of exemplary and punitive damages.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SECOND CAUSE OF ACTION
BREACH OF FIDUCIARY DUTY
(Against FU and LEI and DOES 1-20)

17. Paragraphs 1-7 above are incorporated herein by reference.

18. Plaintiff filed for Chapter 7 bankruptcy protection on September 15, 2006. Because the
bankruptcy court has ruled that pre-bankruptcy causes of action belong to the bankruptcy
estate instead of cross-plaintiff, cross-plaintiff hereby alleges post-September 15, 2006 events
giving rise to this cause of action for Breach of Fiduciary Duty.

19. Defendants and their agents knowingly and willfully conspired among themselves to commit
the tort against YAN as herein stated.

20. Defendants owe YAN duties of fair dealing, loyalty, and fiduciary duty because of their
business relationships.

21. Around 2007, defendants ordered and took delivery of construction materials amounting to
thousands of dollars for use on their property at 337 28th Avenue in San Francisco.
Defendants ordered these materials using a corporate account that belongs to SFBP.
Defendants knowingly and purposefully refused to pay for the materials that they had
ordered, and falsely accused YAN of taking delivery of those materials and falsely accused
YAN of mismanaging SFBP.

22. Around 2007, Defendants maliciously induced the building material supplier of SFBP to sue
YAN for the building materials that Cross- defendants had wrongfully ordered and used for
their personal properties without authorization of SFBP. Defendants maliciously fabricated

1 lies that SFBP is a shell company and induced SFBP's creditors to sue YAN for SFBP's
2 debts.

3 23. During 2009 to 2011, defendants, who were not licensed to practice law, willfully and
4 maliciously provided false legal advices, drafted legal papers, and induced a person named
5 CHARLES LI to initiate legal actions against YAN in both the California Superior Court and
6 the U.S. Bankruptcy court, for the ostensible purpose of preventing YAN from access to
7 funds that were due to YAN from their project.

8 24. Defendants' conducts were coordinated and planned as a continuing tort over an extended
9 and continuous period of time, designed to unfairly take advantage of YAN in their business
10 dealings and to cause malicious harm to YAN by preventing YAN from access to the funds
11 that were due him from their project.

12 25. As a direct result of defendants' fraudulent and malicious actions, defendants unjustly
13 profited at YAN's expense. Defendants' breach of fiduciary duties are direct and proximate
14 causes of damages to YAN, including direct, consequential, and incidental pecuniary
15 damages, loss of earnings, loss of prospective economic advantages, loss of reputation, loss
16 of personal credit, and emotional distress and suffering. As a proximate result of the
17 wrongful acts herein alleged, plaintiff has been damaged specifically and generally.

18 26. Defendants' actions as alleged above were and are oppressive, fraudulent, and malicious
19 within the meaning of Civil Code Section 3294(a) in that they were willful, oppressive, and
20 in conscious disregard of YAN's rights, thereby entitling YAN to an award of punitive
21 damages.

22 THIRD CAUSE OF ACTION

23 FRAUDULENT TRANSFER

24 (Against all defendants)

25 27. Paragraphs 1-7 above are incorporated herein by reference.

26 28. Around the year 2000, FU and FU's wife LEI obtained a divorce from one another as a ploy
27 to shield both their joint assets from FU's creditors, including a judgment of approximately
28 \$80,000 that is still unpaid stemming from a lawsuit in 2000. At the time of their divorce
FU and LEI owned several real properties in San Francisco and that just prior to filing their

1 divorce, FU quitclaimed or transferred title in said properties to LEI. Among these properties
2 are so transferred are properties known as 323 21ST AVENUE and 567 23RD AVENUE.

3 29. After their shame divorce, FU and LEI continued to live together and bought additional real
4 properties in San Francisco. One such property is a property known as 337 28th Avenue in
5 San Francisco.

6 30. Based on information and believe, FU fraudulently transferred, assigned or allowed the other
7 defendants STELLA HONG CHEN aka HONG XING FU aka HONG XING CHEN,
8 BRYANT FU, and WEI SUEN to take title to or possession of his funds, causes of action,
9 contracts, agreements, and other properties while at all times FU maintained control and
10 dominion over said properties.

11 31. The above mentioned transfers are done without receiving reasonably equivalent value in
12 exchange and with actual intent to hinder, delay, or defraud all of FU's then and future
13 creditors, including Cross- complainant in the collection of his claims.

14 32. The above-described fraudulent transfers were received by defendants with knowledge that
15 FU intended to defraud, hinder, or delay the collection of claims of all the then and future
16 creditors of FU.

17 FOURTH CAUSE OF ACTION

18 UNAUTHORIZED PRACTICE OF LAW (Damages pursuant to Cal. Code Civ. Pro. § 1029.8) (Against FU and LEI and DOES 1-20)

19 33. Paragraphs 1-7 above are incorporated herein by reference.

20 34. During 2009 to 2011, Defendants, who were not licensed to practice law, willfully and
21 maliciously provided false legal advices, drafted legal complaints, and induced a person
22 named CHARLES LI to initiate legal actions against YAN in both the California Superior
23 Court and the U.S. Bankruptcy court. Defendants committed subornation by maliciously
24 drafted false allegations in legal papers used by CHARLES LI against YAN. Defendants
25 purposeful concealed their misdeeds and YAN did not discover the events herein stated until
26 September 2011 during a deposition of CHARLES LI.

27 35. As a proximate result of Defendants' unauthorized practice of law, YAN had incurred special
28 and general damages. Pursuant to Cal. Code Civ. Pro. § 1029.8, Defendants are liable for all

1 damages incurred by YAN arising out of the unlicensed practice of law, treble damages as
2 provided by statute, and attorney's fees at the court's discretion.

3 FIFTH CAUSE OF ACTION

4 MALICIOUS PROSECUTION

5 (Against FU and DOES 1-20)

6
7 36. Defendant FU instituted the complaint in this action against YAN on Jul-06-2010 with a
8 cause of action for defamation with allegation that YAN called him a "crook". As indicated
9 by the allegations of malfeasances contained in this complaint, the truth is that FU is a crook.
10 Truth is a complete defense to a defamation lawsuit.

11 37. On May 31, 2012, FU voluntarily dismissed said action on the eve of trial set for June 25,
12 2012.

13 38. FU acted without probable cause in bringing the above-mentioned action.

14 39. FU acted maliciously in bringing the above-mentioned action as a part of his conspiracy with
15 defendants to harass and injure YAN, and to retaliate against YAN for his seeking judicial
16 redress of the torts committed by FU and his co-defendants.

17 40. As a proximate result of the FU bringing the above-mentioned action, YAN has been
18 damaged generally and specifically as set forth in prayer below.

19 41. Defendants' actions as alleged above were and are oppressive, fraudulent, and malicious
20 within the meaning of Civil Code Section 3294(a) in that they were willful, oppressive, and
21 in conscious disregard of YAN's rights, thereby entitling YAN to an award of punitive
22 damages.

23 SIXTH CAUSE OF ACTION

24 DECLARATORY RELIEF

25 42. Plaintiff YAN filed for Chapter 7 bankruptcy protection on September 15, 2006. The
26 bankruptcy court has ruled that pre-bankruptcy causes of action belong to the bankruptcy
27 estate instead of plaintiff. Plaintiff desires a judicial determination of his rights as to the first
28

1 and second causes of action as herein alleged, and a declaration as to whether those causes of
2 action belong to Plaintiff as his personal property.

3 43. Plaintiff further contends that, because of the doctrine of continuing wrong and the accrual of
4 actions based on the last acts, the first and second causes of action herein alleged for
5 INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS and BREACH OF
6 FIDUCIARY DUTY are personal properties of Plaintiff even if pre-bankruptcy events were
7 alleged as well. Specifically, Plaintiff desires a judicial determination and declaration as to
8 whether Plaintiff may add the following statements of pre-petition events to bolster and
9 augment the first and second causes of action herein:

10 Defendants breached their fiduciary duties to Plaintiff arising from their joint
11 ventures, including embezzlement and conversion of joint venture funds and
12 properties; defrauding YAN's share of joint venture proceeds by fraudulently
13 inducing YAN to make promissory notes; misrepresentation of facts relating to
14 joint venture transactions, embezzlement of YAN's properties by
15 misrepresentation; altering and forging business and legal documents related to
16 joint ventures; improperly instigating foreclosure proceedings against joint
17 venture property and thereby forcing YAN into bankruptcy; and filing of false
18 claims in YAN's bankruptcy case to deprive YAN of his share of proceeds from
19 joint ventures.

20
21 WHEREFORE, Plaintiff prays judgment against defendants and each of them as follows:

- 22 1. general damages according to proof;
23 2. special damages according to proof;
24 3. judicial declaration as to cross-complainant's rights in the first and second causes of
25 action;
26 4. exemplary and punitive damages in an amount appropriate to punish defendants and deter
27 others from engaging in similar misconduct;
28 5. costs of suit herein incurred; and

6. For such other and further relief as the court may deem proper.

Dated: July 16, 2012

By: original signed

Demas Yan,

Plaintiff

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) DEMAS YAN 595 Market Street, Suite 1350 San Francisco, California 94105 TELEPHONE NO: 415-867-5797 FAX NO: ATTORNEY FOR (Name): Plaintiff in pro per		FOR COURT USE ONLY <div style="font-size: 2em; font-weight: bold; margin: 10px 0;">FILED</div> Superior Court of California County of San Francisco <div style="font-size: 1.5em; margin: 5px 0;">JUL 20 2012</div> CLERK OF THE COURT BY: Deputy Clerk	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS: SAN FRANCISCO, CA 94102 CITY AND ZIP CODE: BRANCH NAME:			
CASE NAME: DEMAS YAN V. TONY FU, ET AL.			
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
		CASE NUMBER: CGC-12-522566 JUDGE: DEPT:	

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other P/PI/D/W/D (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other P/PI/D/W/D (23) Non-P/PI/D/W/D (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-P/PI/D/W/D tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---	--	---

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve c. <input type="checkbox"/> Substantial amount of documentary evidence	d. <input type="checkbox"/> Large number of witnesses e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court f. <input type="checkbox"/> Substantial postjudgment judicial supervision
--	--

3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive

4. Number of causes of action (specify):

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 7/16/2012
 DEMAS YAN

(TYPE OR PRINT NAME)	(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)
<div style="text-align: center; font-weight: bold;">NOTICE</div> <ul style="list-style-type: none"> Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions. File this cover sheet in addition to any cover sheet required by local court rule. If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding. Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only. <div style="text-align: right; font-size: 0.8em;">Page 1 of 2</div>	
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div> Form Adopted for Mandatory Use Judicial Council of California CM-010 (Rev. July 1, 2007) </div> <div style="text-align: center; font-weight: bold;">CIVIL CASE COVER SHEET</div> <div> Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740; Cal. Standards of Judicial Administration, rule 3.10 www.courtinfo.ca.gov </div> </div>	